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## Ordinance No. 107578

AN ORDINANCE authorizing the Mayor to accept on behalf of the City gifts of works of art in accordance with specified procedures.

*11/8/78. Held for Arts Comm. review*

*7/19/78 Hold until 8/2/78*

*8/2/78 PASS (3-0)*

COMPTROLLER  
FILE NUMBER

## Council Bill No. 99104

INTRODUCED: JAN 9 1978	BY EXECUTIVE REQUEST
REFERRED: JAN 9 1978	TO: <i>Parks &amp; Public Grounds</i>
REFERRED:	
REFERRED:	
REPORTED: AUG 7 1978	SECOND READING: AUG 7 1978
THIRD READING: AUG 7 1978	SIGNED: AUG 7 1978
PRESENTED TO MAYOR: AUG 8 1978	APPROVED: AUG 15 1978
RET'D TO CITY CLERK: AUG 15 1978	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

*p d e s*

LAW DEPARTMENT

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Legis  
ELK  
LAW  
Wts Com'n  
BARK

PUB (BC)  
BLDG  
ENG  
B.O.X  
A.C.  
S.E.  
C.O.  
LIGHT

ORDINANCE **107578**

AN ORDINANCE authorizing the Mayor to accept on behalf of the City gifts of works of art in accordance with specified procedures.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. In accordance with the following procedures, the Mayor is authorized for and on behalf of The City of Seattle to accept gifts of works of art for display in or on property owned or occupied by the City:

(1) Before accepting a gift of work of art pursuant to the authority of this ordinance, the Mayor shall consult with the head of the City department or departments responsible for the premises where such work of art will be displayed and shall also obtain from the Seattle Arts Commission, or a duly designated committee thereof, its recommendation as to whether such gift of work of art should be accepted.

(2) No gift shall be accepted pursuant to the authority of this ordinance which will require substantial expenditures for protection from theft or damage, maintenance or operation.

(3) Any gift accepted pursuant to the provisions of this ordinance must be offered to the City unconditionally, except that the donor may impose any or all of the following conditions:

(A) Specify the location where the work of art shall be displayed and/or specify reasonable conditions for the display of such work of art;

(B) Specify reasonable conditions as to the care and protection of the work of art, provided such conditions do not require the expenditure of substantial funds in order to comply therewith; and

(C) Specify that a sign or placard be placed near

1 the work of art identifying the donor and/or the person  
2 or persons or event which such work of art commemorates  
3 or in whose memory or memories such work was donated.  
4 The Mayor shall manifest his acceptance of any such gift of  
5 work of art on behalf of the City by issuing a certificate  
6 of acceptance to the donor and by filing a copy of such  
7 certificate with the City Comptroller. The provisions of  
8 this ordinance shall not apply to the acceptance of gifts of  
9 works of art which are made to the Seattle Public Library  
10 and which are accepted by the Board of Library Trustees  
11 pursuant to RCW 27.12.210.  
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(To be used for all Ordinances except Emergency.)

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 7 day of August, 19 78  
and signed by me in open session in authentication of its passage this 7 day of  
August, 19 78 *Michael Hill*

President *Michael Hill* of the City Council.

Approved by me this 15 day of August, 19 78 *Charles P. Ryan*  
Mayor.

Filed by me this 15 day of August, 19 78

Attest: *E. L. King*  
City Comptroller and City Clerk.

(SEAL)

Published \_\_\_\_\_

By *Wayne McGuire*  
Deputy Clerk.

# Seattle City Council



July 13, 1978

Phyllis Lamphere  
President of the Council  
625-2436

George E. Benson  
Chairman  
Parks & Community  
Services Committee  
625-2441

Michael Hildt  
Chairman  
Urban Development &  
Housing Committee  
625-2443

Tim Hill  
Chairman  
Personnel & Property  
Management Committee  
625-2438

Paul Kraabel  
Chairman  
Water & Waste  
Management Committee  
625-2447

John Miller  
Chairman  
Finance Committee  
625-2451

Handy Revelle  
Chairman  
Energy Committee  
625-2445

Sam Smith  
Chairman  
Public Safety &  
Justice Committee  
625-2455

Jeanette Williams  
Chairman  
Transportation  
Committee  
625-2453

Karen A. Sollic, Executive Secretary  
Seattle Arts Commission  
305 Harrison Street  
Seattle, Washington 98109

Re: Acceptance of Gifts of Works of Art

Dear Karen:


Earlier this year Terry Hammerly reviewed the enclosed proposed ordinance for "Acceptance of Gifts of Works of Art" and found it to be in conformance with the Seattle Arts Commission's draft S.O.P. for the acceptance of artwork.

Terry correctly noted that the proposed ordinance makes a final City Council ordinance of acceptance unnecessary. Therefore, Section 7.8.1 of the draft S.O.P. should be deleted, and Section 6.2 should be revised to eliminate the language regarding legislation.

While I'm sure the Councilmembers all have an appreciation for art, we feel that the process of accepting gifts of works of art should be left in the hands of the Seattle Arts Commission and its staff who have the expertise to make the judgments necessary in accepting gifts of works of art. Ultimately, the Mayor would be responsible for the acceptance/non-acceptance of artwork based on recommendations from the Seattle Arts Commission and its staff and the recommendation of the City department where the artwork is to be installed.

The proposed ordinance will be before the Parks and Community Services Committee on Wednesday, August 2, 1978, at approximately 2:30 p.m. You are very welcome to attend and testify if you so desire. Please call Cal Anderson at 2441 and let him know if you'd like to testify.

Yours truly,

  
GEORGE E. BENSON, Chairman  
Parks & Community Services Committee

GEB:cha

Enclosure

cc: All Members, Seattle City Council  
Germaine Covington, OMB  
Eleventh Floor, Municipal Building, Seattle, Washington 98104

# Seattle City Council

March 9, 1977

Sam Smith  
President of the Council  
625-2455

George E. Benson  
Chairman  
Transportation  
Committee  
625-2441

Tim Hill  
Chairman  
Finance Committee  
625-2438

Paul Kraabel  
Chairman  
Planning & Urban  
Development Committee  
625-2447

Phyllis Lamphere  
Chairman  
Intergovernmental  
Relations Committee  
625-2436

Wayne D. Larkin  
Chairman  
Utilities Committee  
625-2443

John R. Miller  
Chairman  
Parks & Public  
Grounds Committee  
625-2451

Randy Revelle  
Chairman  
Public Safety  
Committee  
625-2445

Jeanette Williams  
Chairman  
Human Resources &  
Operations Committee  
625-2453

John P. Harris  
Corporation Counsel  
City of Seattle

Re: Acceptance of Gifts of Works of Art

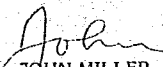
Dear John:

I appreciated your letter last month, dated February 4, 1977, regarding the acceptance of gifts to the City. You stated that the Council could, by ordinance, delegate the authority to accept certain categories of gifts on behalf of the City.

I would appreciate it if your office would draft an ordinance delegating the power of accepting gifts of works of art to the Mayor, where a specific procedure attached to that ordinance has been followed. The Arts Commission is preparing a standard operating procedure for handling gifts of works of art, and a draft copy of the procedure is attached. As you see from the draft, the Commission and various departments would participate in the acceptance process. The procedure is meant to minimize inter-departmental disagreements and public controversies regarding works of art.

Although the final procedure regarding gifts of works of art has not been completed, I request that your office proceed with drafting an appropriate ordinance that would reference an attached procedure. A copy of the current draft is included in this letter. The ordinance should cover only gifts of works of art. If you have any further questions regarding the legislation, you can call on John Blaine, Executive Secretary of the Arts Commission at 625-4223, or Hugh Spitzer, my Legislative Assistant at 625-2451.

Very truly yours,

  
JOHN MILLER, Chairman  
Parks and Public Grounds Committee

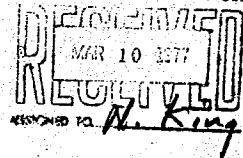
JM:vc

Enclosure

cc: John Blaine  
Walter Hundley



CORPORATION COUNSEL



DOCUMENT #2

D R A F T

PROCEDURE FOR ACCEPTANCE OF GIFTS OF WORKS OF ART  
CITY OF SEATTLE

1. The donor is encouraged to meet with the Art in Public Places Committee of the Seattle Arts Commission, early in his/her consideration of the gift proposal, to discuss the acceptance procedure and general nature of the gift.

2. The Art in Public Places Committee will appoint a three-member donor advisory committee to advise the donor and make recommendations to the Art in Public Places Committee. The donor advisory committee will include one member of the Art in Public Places Committee. Other members will be drawn from potentially involved departments, citizen advisory boards or from the community.

With the donor, the advisory committee will investigate sites, using the site bank, a city-wide inventory of potential sites being developed by the Art in Public Places Committee and involved City departments.

If a specific artwork is proposed by the donor, the advisory committee will also review the work's suitability for acceptance, considering the following points: vulnerability to vandalism; safety; costs of site preparation and installation; ongoing cost of maintenance; technical feasibility. The donor will be asked to place on file at the Henry Gallery Registry of Northwest Artists, five slides of the artist's work and a resume of the artist's background.

3. If a specific artwork or artist is not proposed by a donor, the Art in Public Places Committee will work with the donor to design a selection



process and prospectus for the work. A jury for the selection of art work will be appointed by the Art in Public Places Committee with the concurrence of the donor.

4. On receipt of the recommendations of the donor advisory committee regarding the suitability of the proposed gift and a potential site, the Art in Public Places Committee will review the proposal. The aesthetic quality of the work, the professional credentials of the artist, and the compatibility of the work and the site will be considered. Upon approval, the Art in Public Places Committee will initiate a request for approval of the site to the involved department; the involved department will consider installation costs, maintenance, safety and liability responsibilities before approving the site. Upon approval of the site, the Art in Public Places Committee will request approval of the gift by the Arts Commission. If the request is approved by the Commission, a request will be made of the Mayor to initiate legislation accepting the gift.

Note: When a gift of a portable work of art is proposed, the Art in Public Places Committee will review the proposed gift and recommend on its acceptance to the Seattle Arts Commission. If the gift is recommended for acceptance, a request will be made of the Mayor to initiate legislation accepting the gift. Placement of the work of art in a public building then becomes the responsibility of the Art in Public Places Committee.

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

Your Committee on PARKS & COMMUNITY SERVICES

AUG 7 1978

to which was referred

C.B. 99104

AN ORDINANCE authorizing the Mayor to accept on behalf of the City  
gifts of works of art in accordance with specified procedures.

THAT THE SAME DO PASS.

*Ed. J. Benson*  
Chairman

Chairman

Committee

Committee